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PATENT BY0033P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kazumi Koga, et al.
Serial No.: 10/577,827
Dated Filed: March 26, 2007
For: SIMIAN ORL1 GENE AND METHOD OF ASSESSING COMPOUND
Art Unit: 1647
Examiner: Robert S. Landsman
Customer No.: 000210
Confirmation No.: 9797

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL UNDER 37 CFR 1.116

Sir:

This is in response to the Office Action mailed September 19, 2008, having a shortened statutory period for reply which expires on December 19, 2008. Because this response is being transmitted on December 4, 2008, no fee is deemed to be required.

In the event, however, that any additional extension of time is deemed required, please treat this paper as a request under 37 C.F.R. §1.136(a) to charge Deposit Account No. 13-2755 the appropriate large entity fee in order to avoid abandonment.

Amendments to the Claims begin on page 2 of this submission.

Remarks/Arguments begin on page 4 of this paper.

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

BY: Phyllis Nova DATE: December 4, 2008